

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masahiro Suzuki

Application No.: 10/670,867

Confirmation No.: 5798

Filed: September 25, 2003

Art Unit: 1615

For: GRANULAR WATER DISPERSIBLE AGENT
AND PRODUCTION PROCESS

Examiner: Levy, Neil S.

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is responsive to the restriction requirement set forth in the Office Action mailed January 19, 2007.

The Examiner has required restriction between the following inventions in the above-identified application:

Group I: Claim 1, 2, and 5-7, drawn to GRANULES, classified in class 504, subclass 118;

Group II: Claims 3 and 4 drawn to PRODUCTION METHODS, classified in class 514, subclass 412.

Accordingly, Applicant hereby elects Group II, claims 3 and 4, for continued examination.

The Examiner has also required, under 35 U.S.C. §121, that Applicant elects a single compound of the present invention. Accordingly, Applicant hereby elects the following species of pesticide: N'-cyclopropylmethyloxy-N-phenylacetyl-2,3-difluoro-6-trifluoromethylbenzamidine. Claims 3 and 4 are readable on the above-indicated species.

It is the Applicant's understanding that, under 35 U.S.C. §121, an election of a single species for prosecution on the merits is required and that the claims will be restricted to this species if no generic claim is finally held allowable. Applicant further understands that upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. §1.141 *et seq.*

If a telephone conversation with Applicant's attorney would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned. Please charge any overpayment and credit any underpayment to our Deposit Account No. 12-0080, under Order No. NIW-024USCP from which the undersigned is authorized to draw.

Dated: February 20, 2007

Respectfully submitted,

By /Danielle L. Herritt/
Danielle L. Herritt
Registration No.: 43,670
LAHIVE & COCKFIELD, LLP
One Post Office Square
Boston, Massachusetts 02109-2127
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant